



GRANT COUNTY GRANT COUNTY SHERIFF Case Report

Case #: 2015-031971**Date:** 10/04/2015 **Time:** 02:17

Event:**Status:** CASE CLOSED **Disposition:** ARREST**Code:** 8081 **Description** INTOXICATED DRIVER**Code:** 8121 **Description** TRAFFIC STOP**Case Officer:** 1079 - JRAYBOULD **Case Supervisor:** 288 - PKOLB**Source:** OFFICER**Location:****Address:** 4401, S WESTERN AV, MARION, IN, 46953**Additional Info:** ROUND ROBIN BINGO**Contact:** SHF:2739**Place Code:** HIGHWAY **Beat:** D3**Time:****Occurred From:** 10/04/2015 02:17 **To:** 10/04/2015 02:17 **Reported:** 10/04/2015 02:17**Closing Information:****Disposition:** ARREST **Response:** ARREST REPORT **Status:** CITATION **False****Alarm:** NA **Date/Time:** 10/05/2015 02:09 **Closed Status:** POLICE REPORT**Remarks:** WILLIE HEMPHILL WAS THE DRIVER DURING A TRAFFIC STOP AND WAS BELIEVED TO BE INTOXICATED. A BLOOD DRAW WAS COMPLETED AND MR. HEMPHILL WAS ARRESTED FOR OWI

10/04/2015 02:17 Badge/Name: 1069/CKIRKPATRICK
VEHICLE TOOK A WHILE TO STOP

10/04/2015 02:23 Badge/Name: 1069/CKIRKPATRICK
2739 Status Check - Unit checks OK

10/04/2015 02:27 Badge/Name: 1069/CKIRKPATRICK
2739 Status Check - Unit checks OK

10/04/2015 02:27 Badge/Name: 1069/CKIRKPATRICK
2732 Status Check - Unit Timer cancelled by operator

10/04/2015 02:31 Badge/Name: 1069/CKIRKPATRICK
2739 Status Check - Unit checks OK

10/04/2015 02:35 Badge/Name: 1069/CKIRKPATRICK

2739 Status Check - Unit checks OK

10/04/2015 02:35 Badge/Name: 1069/CKIRKPATRICK

2712 Status Check - Unit Timer cancelled by operator

10/04/2015 02:37 Badge/Name: 1069/CKIRKPATRICK

ONE IN CUSTODY

10/04/2015 02:38 Badge/Name: 1069/CKIRKPATRICK

ENROUTE FOR 42

10/04/2015 02:56 Badge/Name: 1069/CKIRKPATRICK

ENROUTE TO SPRINGHILL DR WITH ONE FEMALE

10/04/2015 03:05 Badge/Name: 1069/CKIRKPATRICK

2712 Status Check - Unit checks OK

10/04/2015 03:06 Badge/Name: 1069/CKIRKPATRICK

NO ONE ON 17TH ST--HEADING TO 14TH ST

10/04/2015 03:33 Badge/Name: 1069/CKIRKPATRICK

ENROUTE TO HOSPITAL FOR BLOOD DRAW

10/04/2015 05:43 Badge/Name: 1079/JRAYBOULD

On 10/4/2015 at approximately 0214 hours I, Deputy Jeffrey Raybould, was in the area of 6500 South State Road 37 when I observed a vehicle travelling northbound at what appeared to be a high rate of speed. When I got to the area of 4100 South State Road 37 I was finally able to catch up to the vehicle enough to clock the vehicle with my radar. Using Stalker Radar Unit #69 I clocked the vehicle travelling 78 MPH in a 55 MPH zone. I was able to get behind the vehicle; which was a white KIA mini van, when it was stopped at a red light at the intersection of State Road 37 and State Road 9. The white van initially was in the lane to continue Northbound on Washington Street but it activated it's left hand turn signal and moved into the left hand turn lane and deactivated the turn signal. The traffic light turned green and the van made a left hand turn onto State Road 9 (South Western St.) without using a turn signal to let other driver's know safely his intention to turn. I also did not observe a license plate on the vehicle at that time. When the van was making the left hand turn I activated my emergency lights to initiate a traffic stop. With my emergency lights activated the van continued slowly northbound on State Road 9 until it finally pulled into the parking lot of Round Robin Bingo (4401 South Western) and came to a stop. At that time I noticed the Temporary License Plate in the rear window.

When I approached the vehicle I made contact with driver, Willie Hemphill, and passenger Schrelle Hemphill. I asked Mr. Hemphill for his driver's license and registration and he handed me the proof on insurance without me asking. After reminding Mr. Hemphill that I needed his driver's license he removed his wallet from his rear pocket. As Mr. Hemphill was attempting to remove his license from his wallet I noticed his manual dexterity was poor. Mr. Hemphill had issues opening his wallet and also had issues removing his license from his wallet. I asked Mr. Hemphill where he was headed and he said he was on his way to Marion from Indianapolis to see his 12 year old son. As Mr. Hemphill was speaking to me I noticed his speech was slurred and I could detect the strong odor of alcoholic beverages coming from the vehicle. As I was speaking to Mr. Hemphill he would not make eye contact with me. As I was looking in the back seat for other passengers I noticed an opened 30 pack of Natural Light beer. I asked Mr. Hemphill if he had anything to drink tonight and he first told me no, but then changed his story and said he had a few beers about four hours ago. Mr. Hemphill handed me his license, Ms. Hemphill's license and the receipt for the vehicle that he just purchased today. I

went back to my vehicle and ran Mr. Hemphill's information through dispatch and they advised he was valid.

I went back to the vehicle and explained to Mr. Hemphill that I was going to need him exit the vehicle so I could have him perform some field sobriety tests. Mr. Hemphill opened his driver's door and started to exit the vehicle before he unbuckled himself from the seat belt. Mr. Hemphill unbuckled himself and as he exited the vehicle he dropped a credit card out of the car. As Mr. Hemphill walked to the back of his vehicle I noticed his balance was poor. I had Mr. Hemphill stand at the back of his van and as he was doing so he had to lean on the back of his van to keep his balance. I had to instruct Mr. Hemphill to step forward from the van before I started field sobriety.

The first test I had Mr. Hemphill perform was the horizontal gaze nystagmus test. Mr. Hemphill was not wearing any glasses and he said he was not wearing any contacts. Mr. Hemphill showed lack of smooth pursuit in both eyes, showed distinct and sustained nystagmus in both eyes and showed the onset of nystagmus in both eyes from to 45 degrees. Mr. Hemphill also showed vertical nystagmus in both eyes. As I having Mr. Hemphill perform her horizontal gaze nystagmus test I noticed his eyes were bloodshot and glassy.

I started to explain the instructions to the nine step walk and turn test and I asked Mr. Hemphill if he had any knee or leg issues. Mr. Hemphill said he had some rods and pins in his left leg from a previous injury and proceeded to show me a scar on his upper left leg. I asked Mr. Hemphill if he felt comfortable doing the nine step walk and turn test and he said he would do the test. I started demonstrating the tests to Mr. Hemphill when he interrupted me and said he did not feel comfortable performing the test because of his leg injury. I explained the one leg stand test to Mr. Hemphill and also did a demonstration and he said he did not feel comfortable performing that test either.

I gave Mr. Hemphill a portable breath test which he failed. I read Mr. Hemphill the Indiana Implied Consent Warning but he could not give me a definitive answer at that time if he would take the test. I placed Mr. Hemphill in handcuffs, double locked and checked for tightness, and transported him to the Grant County Security Complex without incident. Sgt. Eric Fields stood by with the vehicle while Ms. Hemphill attempted to contact a sober driver. I brought Mr. Hemphill into the breathalyzer room at the Jail and once again read him the Indiana Implied Consent Warning. I asked Mr. Hemphill if he would take the chemical test and he would not give me an answer without talking to his lawyer. I told Mr. Hemphill that I just needed a yes or no answer and he said "I don't think so." I escorted Mr. Hemphill out of the breathalyzer room and handed him over to the jail staff while I contacted a Judge for a search warrant.

I then had an recorded oral probable cause hearing with Honorable Judge Dana Kenworthy to obtain a Search Warrant for Mr. Hemphill's blood. At 0327 hours Judge Kenworthy found probable cause for the search warrant and instructed me to affix her name to the Search Warrant that I prepared. The audio from the Oral Probable Cause hearing will be transcribed and forwarded to Judge Kenworthy when complete.

With Search Warrant in hand I transported Mr. Hemphill to Marion General Hospital for the blood draw. Prior to Mr. Hemphill's blood being drawn I read him the Search Warrant. Mr. Hemphill stated he understood the search warrant but said it was against his religion to have his blood drawn. When we asked Mr. Hemphill what religion he practiced he would not give me an answer. At 0350 hours Marion General Hospital Phlebotomist Barry Edwards drew blood from the left hand of Mr. Hemphill into the two grey top vials from the Indiana Department of Toxicology Blood Draw Kit. Once Mr. Hemphill's blood was drawn I secured the two grey top vials in the blood draw kit and they were later entered into evidence.

When complete at the hospital I transported Mr. Hemphill back to the Jail where he was handed over to the jail staff. Mr. Hemphill was arrested for OWI C- Misdemeanor, cited for Speeding and Failure to

Signal Lane Change or Intention to Turn.

Toxicology Results Pending

Stalker Radar Unit #69 was checked for calibration before and after the traffic stop.

Attachments:

OWI PAPERWORK:

Attached By: 335 - SBEYER **On:** 10/05/2015 09:24

COMPLAINANT:

Name: GRANT COUNTY SHERIFF

Address: 214, E 4TH ST, MARION, IN, 46952

Contact: SHF:2739

DRIVER, ARRESTED:

Name: HEMPHILL, WILLIE J

Address: 27, N GRAY ST, INPOLIS, IN, 46201

Details: Sex: M Race: B DOB: 09/10/1971 Age: 44 Height: 5' 10" Weight: 165 lbs Hair Color: BLACK Eye Color: BROWN Speech: SLURRED Appearance: INTOXICATED

Identifiers: DL: 0880739019 ST: IN SSN: [REDACTED]

Charge - On: 10/04/2015 00:00 Charged By: 1079 - JRAYBOULD Offense: IC 9-30-5-1(A)MC ~ OPERATING A VEHICLE WITH A BAC OF 0.08 OR

MORE Reference: 000060504452 UCR: 8081 Arrest Date: 10/04/2015 Court: GRANT COUNTY SUPERIOR 3

Charge - On: 10/04/2015 00:00 Charged By: 1079 - JRAYBOULD Offense: IC 9-21-5-2(A)(2) ~ SPEEDING (EXCEEDING SPEEDLIMIT) Reference: 000060504452 UCR: 8300 Arrest

Date: 10/04/2015 Court: GRANT COUNTY SUPERIOR 3

Charge Remarks: 78/55

Charge - On: 10/04/2015 00:00 Charged By: 1079 - JRAYBOULD Offense: 9-21-8-25- FAILURE TO SIGNAL LANCE CHANGE OR INTENTION TO

TURN Reference: 000060504452 UCR: 8300 Arrest Date: 10/04/2015 Court: GRANT COUNTY SUPERIOR 3

PASSENGER:

Name: HEMPHILL, SCHRELLE SHWANTA

Address: 27, N GRAY ST, INPOLIS, IN, 46201

Contact: SHF:2739

Details: Sex: F Race: B DOB: 08/16/1977 Age: 38 Height: 5' 2" Weight: 230 lbs Hair

Color: BLACK **Eye Color:** BROWN

Identifiers: DL: 1720246792 ST: IN SSN: [REDACTED]

STOPPED:

LIC: E989017 **ST:** IN **Type:** TM **Year:** 2015 **VIN:** KNDUP131036409172

Make/Model: Type: AUTO **Make:** KIA **Model:** SEDONA **Style:** VAN **Year:** 2016 **Color:** WHITE

Remarks: OWNER= OWNER=

Evidence Items		
Item TAG	Property Type	Details

	Log Date, Time, Badge	
1	BLOOD	Make: INDIANA DEPT OF TOXICOLOG Model: BLOOD DRAW KIT Serial: 37437 Quantity: 2.00 Description: TWO GREY TOP VIALS CONTANING BLOOD FROM WILLIE J. HEMPHILL. OBTAINED WITH SEARCH WARRANT
	10/05/2015 08:46 450	Type: ENTERED - SENT TO DEPT OF TOXIII - From/By: JRAYBOULD
	08/03/2017 08:48 197	Type: RELEASED - To:DEPT OF TOXICOLOGY Reason:TESTING - From/By: staylor/197

Investigators:

1079/JRAYBOULD Case Officer

288/PKOLB Case Supervisor

1079/JEFFREY RAYBOULD(P) ATTENDING UNIT - 2739

484/WESLEY MCCORKLE ATTENDING UNIT - 2732

238/ERIC FIELDS ATTENDING UNIT - 2712

288/PKOLB Level 4 Reviewer - 10/05/2015

Photo obtained by APM Reports from the Grant County Sheriff's Department in Marion, IN. Dated: 10/4/2015.

